

Message

From: Minter, Douglas [Minter.Douglas@epa.gov]
Sent: 10/2/2019 3:14:10 PM
To: Logan, Paul [Logan.Paul@epa.gov]; Robinson, Valois [Robinson.Valois@epa.gov]; Chin, Lucita [Chin.Lucita@epa.gov]
Subject: RE: AX-19-000-8228 - Subject: Protecting Tribal Treaty Rights - Response Due Date is Sept. 30th.....

Thanks Everyone: I would prefer to wait until Valois and I return from our travels late next week to see what more we can learn about this. In the interim, we may get a better idea of when this controlled correspondence will arrive and how best to respond.

Happy to discuss further on Friday, October 11th.

Douglas

From: Logan, Paul <Logan.Paul@epa.gov>
Sent: Wednesday, October 2, 2019 9:10 AM
To: Robinson, Valois <Robinson.Valois@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>
Cc: Minter, Douglas <Minter.Douglas@epa.gov>
Subject: RE: AX-19-000-8228 - Subject: Protecting Tribal Treaty Rights - Response Due Date is Sept. 30th.....

Thanks Lucita for laying out the options. That's helpful background.

Ex. 5 AC/DP

Paul Logan

Senior Assistant Regional Counsel | EPA Region 8, Office of Regional Counsel
303.312.6854 | logan.paul@epa.gov

From: Robinson, Valois <Robinson.Valois@epa.gov>
Sent: Wednesday, October 2, 2019 9:00 AM
To: Chin, Lucita <Chin.Lucita@epa.gov>; Logan, Paul <Logan.Paul@epa.gov>
Cc: Minter, Douglas <Minter.Douglas@epa.gov>
Subject: RE: AX-19-000-8228 - Subject: Protecting Tribal Treaty Rights - Response Due Date is Sept. 30th.....

It sounds like a good idea to discuss this. I remember Floyd Looks For Buffalo Hand testified at one of our Rapid City public hearings and submitted documents from the Black Hills Sioux Nation Treaty

Ex. 5 AC/DP

I am guessing he sent this document in response to the tribal consultation letters we sent out.

So maybe we could discuss this next Friday when we are back in the office from our meeting in Pierre next week, if we can wait that long.

Paul, is there a deadline for the response?

I can let you know before then if he was at the public hearing.

Thanks!

Valois

Valois Robinson
U.S. EPA Region 8
MailCode: 8WD-SDU
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: robinson.valois@epa.gov

From: Chin, Lucita <Chin.Lucita@epa.gov>
Sent: Wednesday, October 2, 2019 8:17 AM
To: Logan, Paul <Logan.Paul@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>
Cc: Minter, Douglas <Minter.Douglas@epa.gov>
Subject: RE: AX-19-000-8228 - Subject: Protecting Tribal Treaty Rights - Response Due Date is Sept. 30th.....

Ex. 5 AC/DP

Lucita

Lucita Chin
Senior Assistant Regional Counsel | Office of Regional Counsel | Media Law Counseling Section
Environmental Protection Agency Region 8 | 1595 Wynkoop St. | Mail Code: 8ORC-M | Denver, CO 80202
Office: (303) 312-7832

From: Logan, Paul <Logan.Paul@epa.gov>
Sent: Tuesday, October 1, 2019 5:11 PM
To: Robinson, Valois <Robinson.Valois@epa.gov>
Cc: Chin, Lucita <Chin.Lucita@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>
Subject: RE: AX-19-000-8228 - Subject: Protecting Tribal Treaty Rights - Response Due Date is Sept. 30th.....

Thanks Valois.

Ex. 5 AC/DP

Paul Logan

Senior Assistant Regional Counsel | EPA Region 8, Office of Regional Counsel
303.312.6854 | logan.paul@epa.gov

From: Robinson, Valois <Robinson.Valois@epa.gov>
Sent: Tuesday, October 1, 2019 5:08 PM
To: Logan, Paul <Logan.Paul@epa.gov>
Cc: Chin, Lucita <Chin.Lucita@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>
Subject: FW: AX-19-000-8228 - Subject: Protecting Tribal Treaty Rights - Response Due Date is Sept. 30th.....

Hi Paul,

That sounds like a good approach to me. I am copying Douglas on this so he is in the loop. What level manager would sign the letter?

Thanks!

Valois

Valois Robinson
U.S. EPA Region 8
MailCode: 8WD-SDU
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: robinson.valois@epa.gov

From: Logan, Paul <Logan.Paul@epa.gov>
Sent: Tuesday, October 1, 2019 4:47 PM
To: Robinson, Valois <Robinson.Valois@epa.gov>
Cc: Chin, Lucita <Chin.Lucita@epa.gov>
Subject: FW: AX-19-000-8228 - Subject: Protecting Tribal Treaty Rights - Response Due Date is Sept. 30th.....

Valois,

Ex. 5 AC/DP

Paul Logan

Senior Assistant Regional Counsel | EPA Region 8, Office of Regional Counsel
303.312.6854 | logan.paul@epa.gov

From: Byrne, Andrew <Byrne.Andrew@epa.gov>

Sent: Monday, September 30, 2019 3:45 PM

To: Logan, Paul <Logan.Paul@epa.gov>

Subject: FW: AX-19-000-8228 - Subject: Protecting Tribal Treaty Rights - Response Due Date is Sept. 30th.....

Hi Paul,

Ex. 5 AC/DP

Andy Byrne

American Indian Environmental Office
Office of International and Tribal Affairs
U.S. Environmental Protection Agency
(202) 564-3836

Creating Tangible Environmental Results with Tribes
Find out more at www.epa.gov/tribal

From: Byrne, Andrew

Sent: Monday, September 23, 2019 3:40 PM

To: Logan, Paul <Logan.Paul@epa.gov>

Cc: Wright, Felicia <wright.felicia@epa.gov>

Subject: FW: AX-19-000-8228 - Subject: Protecting Tribal Treaty Rights - Response Due Date is Sept. 30th.....

Hi Paul,

I left you a voicemail a moment ago, following up via email with the attachment.

AIEO received this controlled correspondence late last week. It is on letterhead from the Black Hills Sioux Nation Treaty Council and references treaties and EPA's Tribal Treaty Rights Guidance which supplements our Consultation Policy. This immediately made me think of Dewey-Burdock, but aside from quoting from our policies there is no clear question or issue raised. It could be possible that a page is missing from the attached, I will try to find that out.

Have you had any interaction from this Council, do you believe this is related to Dewey Burdock? The tribes listed are those that I believe have raised treaty rights issues regarding the ongoing permitting. Considering Region 8's ongoing work on this issue and interaction with the tribes, this may more properly be assigned to Region 8 to respond.

Please take a look at the attached and let me know your thoughts. I'll point out that the response due date is just a week from today.

Thanks!

Andy Byrne

American Indian Environmental Office
Office of International and Tribal Affairs
U.S. Environmental Protection Agency
(202) 564-3836

Creating Tangible Environmental Results with Tribes
Find out more at www.epa.gov/tribal

From: Stewart, Lakita <Stewart.Lakita@epa.gov>

Sent: Thursday, September 19, 2019 6:14 PM

To: Mason, Scott <Mason.Scott@epa.gov>; Wright, Felicia <Wright.Felicia@epa.gov>; Berrios, Lisa <Berrios.Lisa@epa.gov>; Byrne, Andrew <Byrne.Andrew@epa.gov>; St-Denis, Francine <St-Denis.Francine@epa.gov>; Harris, Dona <Harris.Dona@epa.gov>; Besougloff, Jeff <Besougloff.Jeff@epa.gov>

Cc: Lee, Pascale <Lee.Pascale@epa.gov>

Subject: FW: AX-19-000-8228 - Subject: Protecting Tribal Treaty Rights - Response Due Date is Sept. 30th.....

Hello, this is a direct reply, so the response can be prepare for OD/DOD level signature or staff level.